



The Center on
Conscience & War

The Reporter for Conscience' Sake

Working to extend and defend the rights of Conscientious Objectors to war since 1940

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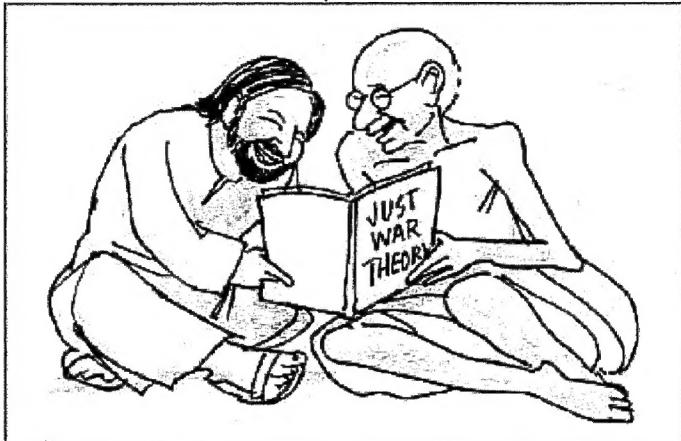
Number 1

"Just War" Doctrine calls its followers to be Conscientious Objectors

"We have perfected our weapons, our conscience has fallen asleep, and we have sharpened our ideas to justify ourselves."

Pope Francis, September 7, 2013

Chances are, if you were raised in or are currently a member of a faith community that is not considered one of the traditional "Peace Churches," you learned or were exposed to some variation of Just War Doctrine. Just War Doctrine or Theory, as taught by most traditions, essentially states that war can be practiced, as long as certain criteria are met. The criteria outline a general set of rules governing when and why to go to war (*jus ad bellum*) and the rules to be followed during a war (*jus in bello*). These rules include going to war only as a last resort, after all other prospects for peace have been exhausted; prohibiting attacks on civilian populations; and ensuring that damage to the environment will be limited. When these criteria are taken into account, it is all too clear that a "Just War" is not possible in our modern political climate and with our current war-making capabilities. So where does that leave a member of the military facing a decision about whether or not to fight? For decades, those soldiers who identify with a Just War tradition have been labeled "Selective Objectors," deeming them ineligible for recognition as Conscientious Objectors. As a result, they find themselves struggling with both their conscience and military policy. Often, the guidance offered from the Church is limited to two options: violate your conscience and pray; or violate your orders and pray.



This counsel offers too narrow an interpretation of CO law and practice, and falls short of the Church's role as steward of conscience. While we all know that violating one's orders in the military carries high risk, we are just beginning to understand the profound consequences of violating one's conscience – wounds to the soul, which have been appropriately named *moral injury*.

- *Some will fight only when Allah commands, and Allah remains silent; some will fight only in Armageddon, which seems always to lie in the future; some would fight if there were no nuclear weapons, but there are; some would fight if certain theoretical criteria were met, but they can't be. In the meantime, these [people] may find themselves opposed to [participation in] "war in any form" and can say so honestly.*

—Handbook for Conscientious Objectors, 1972.

Evolving: From Selective CO to Just CO

The Supreme Court has held that a person seeking to be classified as a Conscientious Objector need only answer for a *real* war they may *actually* face and not for some "future, hypothetical circumstances." Considering the fact that a "just war" is not possible in our modern context, and that prominent Church leaders, including Popes Benedict XVI and John Paul II, have openly questioned whether Just War is a relic from a bygone era, new possibilities become clear for the soldier of conscience: Just War Doctrine is Conscientious Objection, and a follower of Just War teaching, faced with a crisis of conscience in the course of his or her military service, can honestly and legally make this claim! The Center on Conscience & War is here to support them in doing so. It is our task now to offer hope to soldiers in crisis by working within our faith and other communities to raise awareness of the legal options available to members of the military who, for reasons of conscience, seek another path – a path of peace.

Please join us! In the coming months, we want to share this message of hope as widely as we can, so that military members will hear and know how to legally follow their conscience instead of their orders.

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Founded in 1940, the Center on Conscience & War works to extend and defend the rights of conscientious objectors to war. In pursuit of this mission, the Center provides the following services free of charge:

- Counseling military conscientious objectors;
- Monitoring Congress and Selective Service to extend and defend the rights of conscientious objectors;
- Support for COs who refuse to register for the draft through F.E.A.T student loans;
- Counseling military personnel on the GI Rights Hotline with accuracy and honesty;
- Truth in military recruitment information;
- Workshops, training, and speakers on any of the above topics.

The Reporter

Reflections on Germany's long- awaited end to mandatory conscription

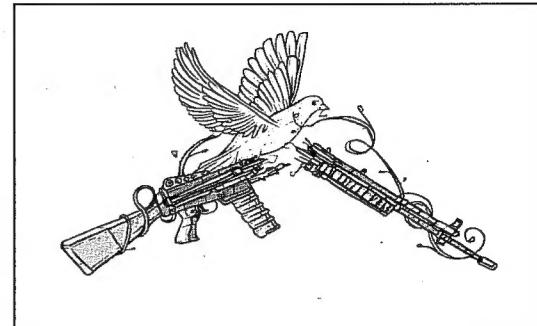
After more than half a century, Germany finally joined the majority of Western Europe and ended conscription in 2011. Since its creation, post-WWII Germany's conscription law included **constitutional protection for conscientious objectors** (the United States does not), and many young men – and even many women who were not required by law to do so – chose to participate in alternative civilian service working for justice, peace and community, instead of going into the military.

The Center on Conscience & War (CCW) has had a relationship with German COs that goes back decades, as young men chose to do their alternative civilian service with us. Even today, our Brethren Volunteer Service volunteer is a young German man who, though no longer required by law to do mandatory service, decided he would continue the tradition of service, and, as a CO himself, chose to come to CCW to work in support of other COs. Just as conscientious objectors have made significant contributions to society here in the US, they also have had a major impact in Germany.

At the end of the Second World War, when Germany surrendered on May 8/9, 1945, conscription ended and the army (*Wehrmacht*) was largely dismantled. The Allied Powers controlled Germany after the fall of the 3rd Reich, and did not allow Germany to develop militarily.

In 1949, the German Parliamentary Council provided for the possibility of conscientious objection in the Basic Law (Constitution), even though there was no conscription or army.

With the escalation of the cold war, the Federal Republic of Germany was admitted to NATO and allowed to create an army (*Bundeswehr*) in late 1955. Germany adopted the law for conscription (*Wehrpflichtgesetz*) on July 21, 1956. Once conscription resumed, the Federal Administrative Court debated the meaning of "conscience" and "arms" referred to in Article 4, paragraph 3 of the Basic Law. After several years, it was decided that conscientious objectors could refuse any direct use of weapons, not only in wars defined under international law, but also other armed conflicts like civil wars or war against partisans. COs could also refuse indirect participation in war as well, including jobs like espionage or ammunition supply.



Conscientious Objectors do not have to be religious under German law; one must simply refuse military service by reason of conscience, as provided in the Basic Law (Constitution). To apply one was required to submit a complete curriculum vitae (CV) as well as a written explanation of his beliefs ("his" because only men were drafted) and why he objects to military service. Unless there was blatant evidence of insincerity, which was almost never the case, applications were approved.

Successful conscientious objectors (*Kriegsdienstverweigerer*) were then obliged to do alternative civil service (*Zivildienst*). This activity had to last between six and 24 months depending on the basic military training terms. Jobs included social work in places like hospitals, kindergartens, retirement homes, and charity organizations that were named on a list issued by the German Government. A number of COs chose to serve outside of Germany, performing service in Israel and the United States.

A majority of German conscripts chose peace and their alternative service work had an important effect on German Society.

According to an article that appeared in the *Wall St Journal* in July of 2010, **more than half** of those drafted between 1990 and 2010 were conscientious objectors. For example, in 2009 more than 150,000 of the 226,000 men deemed fit to serve filed as conscientious objectors – that amounts to a **full two-thirds of conscripts who chose peace!**

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For Conscience' Sake

CO and conscription in Germany, continued from page 2

With the end of the Cold War, more and more countries in Western Europe abolished military conscription. When Germany considered following suit, they encountered an unexpected problem: a high number of social programs and public services were dependent on the cheap labor of conscientious objectors! (Makes sense now why this article appeared in the Wall Street Journal.)

In fact, some of the strongest opposition to ending the draft came from the healthcare sector – not because they were fans of the military, necessarily, but because of the important role conscientious objectors served in healthcare through the years:

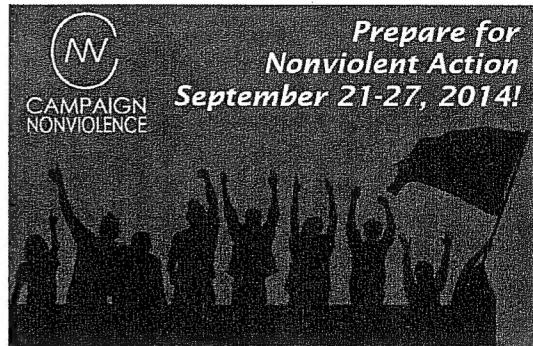
Abolishing the draft, they argue, would leave a large hole in Germany's public services.... "It would definitely be a loss," said Peer Kopf, an expert on personnel and operations at the German Hospital Association.... Ria Schulze Bockhurst, head of human resources for two hospitals and several nursing homes around Munster in western Germany, said the organization's nearly 50 civilian servants perform basic nursing tasks and run errands, work that would otherwise need to be taken over by better-compensated employees. "It would certainly drive costs up even higher," said Ms. Schulze Bockhurst. (WSJ, July 19, 2010)

That's not the usual argument for supporting a draft, but quite a revealing one. It certainly reminds us of the tremendous contributions made to civil society by the Civilian Public Service (CPS) Program here in the United States, too!

In March 2011, the German *Bundestag* suspended the military draft. The Federal Council concurred on April 15, 2011. Since then, conscription would only happen during a time of war or national emergency.

Germany still provides for the discharge of those conscientious objectors whose beliefs against war crystallize once they are in the military. The process is similar to the process for those facing the draft, but applications must be made to the '*Kreiswehrersatzamt*' (regional recruitment office) and must include a motivation letter in which the applicant explains in more detail how and when his/her crisis of conscience started. Approximately 70 soldiers a year seek conscientious objector discharge in Germany.

CCW joins Pace e Bene's Campaign Nonviolence!

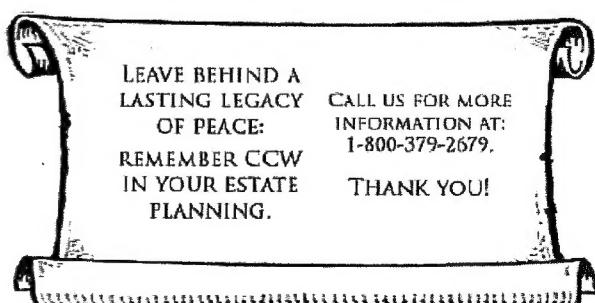


CCW joins Pace e Bene's Campaign Nonviolence inviting all people to

- Practice active nonviolence toward ourselves, toward all others, and toward the world;
- Join in building a culture of active nonviolence;
- Take nonviolent action together, connecting the dots between peace, economic justice, and the environment.

As an Endorsing Organization, CCW will publicize and participate in **Campaign Nonviolence Week 2014**, in support of local and national actions of Peaceful Public Witness for peace, justice and the healing of the planet. Events begin on September 21, *the International Day of Peace*, and continue through September 27 in hundreds of cities, Congressional districts, and here in Washington, DC. Campaign Nonviolence is calling for "concrete policy shifts toward reversing the climate crisis, ending poverty and abolishing war."

Please visit their website, <campaignnonviolence.org> to learn more and to find or add events in your community. Thank you!





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nota bene

On April 28, 1967, Muhammad Ali refused induction into the Army. "I have searched my conscience and I find I cannot be true to my belief in my religion by accepting such a call," he wrote in a statement shared with the press on that day. Two months later, on June 20, 1967, an all white jury deliberated for less than half an hour and found Ali guilty of draft evasion, sentencing him to 5 years in prison and a fine of \$10,000. So began a more than four-year struggle for Muhammad Ali to be legally recognized as a conscientious objector.

"They tell me I have two alternatives, either go to jail or go to the army. But I would like to say that there is another alternative, and that alternative is justice." Justice did eventually come for Ali, from the United States Supreme Court. In 1971, the Court unanimously overturned Ali's conviction -- though not on the substance of his case, but on a technicality -- an outcome that reveals a bias against Islam, which has been present in the United States for decades.

In the last several months, the Center on Conscience & War has had the privilege of taking part in the promotion of the brilliant new documentary, *The Trials of Muhammad Ali*, which follows Ali's early life, from his childhood in Louisville, KY, to his Olympic gold medal in Rome in 1960, to his conversion to Islam, and finally, his objection to the war in Vietnam, based on his faith. Organizing and taking part in screenings of this excellent film has given the Center on Conscience & War wonderful opportunities to raise the profile of Conscientious Objection and to reach audiences we otherwise may not have reached. We have shared our organizational history and knowledge of CO law in general and Ali's case in particular, and we've been able to bring people up to date with the good news that conscientious objection is still alive and well in the United States and around the world! If you have not seen this great film, we hope you will take

time to do so soon. Check out the website, trialsofali.com, to see if there's a screening coming up in your town -- or maybe you'd like to organize a screening and invite us to come along for a Q&A after the film! Just give us a call and we'll see if we can make it. If you live in the Washington, DC or Charlotte, NC area, two screenings are coming up: **Sunday, April 13, 3pm at the Jewish Community Center in Washington, DC and Saturday, May 17, 7pm at Myers Park Baptist Church, in Charlotte, NC.**

Muhammad Ali's story is moving and powerful, and the film presents it artfully and with compassion. As has been the case for so many conscientious objectors throughout history, Ali's depth of faith and commitment to conscience at times caused him great hardship and sacrifice. But as we know from our work with COs, and as you know from your personal experience, that kind of sacrifice actually yields a greater gift. As Ali put it, though his struggle for recognition as a CO may have cost him many things, what he gained was far more valuable: "peace of mind and peace of heart."

IT'S TAX TIME! PLEASE CONSIDER BALANCING OUT THE TAXES YOU INEVITABLY PAY TO WAR EACH YEAR WITH A GIFT OF PEACE IN SUPPORT OF COs! MAYBE YOU'RE GETTING A REFUND--GREAT! CAN YOU SHARE A BIT OF YOUR WINDFALL WITH THOSE SEEKING THE PATH TO PEACE?



WHEN YOU REDIRECT YOUR TAX DOLLARS TO SUPPORT COs, YOU ARE ENGAGING IN A REAL CHALLENGE TO WAR--WITH MEASURABLE RESULTS--ONE EX-SOLDIER AT A TIME!
THANK YOU!